

REMARKS

I. Introduction

Claims 49-93, 95 and 97 are currently pending in the present application. By the present amendment, claims 94 and 96 have been canceled without prejudice, claims 56, 63, 69-74, 80-84 and 87 have been amended without prejudice, and new claim 97 has been added. No new matter has been added by the present amendment. Applicants respectfully submit that the pending claims are patentable for at least the following reasons.

II. Objection to the Claims

Claims 69-74 and 87 have been objected to because of various informalities. Claims 69-74 and 87 have been amended herein to address these informalities. Therefore, Applicants respectfully submit that the objections to the claims have been overcome, and should therefore be withdrawn.

III. Objection to the Specification

The specification has been objected to because the title is allegedly too generic and not descriptive of the inventive method. The title has been herein amended such that it now reads as follows: "Tribostatic Fluidised Bed Powder Coating Process." Thus, Applicants respectfully submit that the objection to the specification has been overcome and should therefore be withdrawn.

IV. Rejection of Claims under 35 U.S.C. § 112, Second Paragraph

Claims 49, 54, 56, 63, 73, 74, 80-84 and 94 stand rejected under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. It is respectfully submitted that these rejections should be withdrawn for at least the following reasons.

The Office Action asserts that claim 49 is vague and indefinite because applying a voltage to the chamber as written is allegedly inconsistent with carrying out

the process “without ionization or corona effects.” Applicants respectfully disagree with this assertion, because this reasoning is not correct. As described in the specification, “[t]he process of the present invention is conducted without ionisation or corona effects in the fluidised bed. The voltage applied to the fluidised-bed chamber is sufficient to cause the coating of the substrate by the frictionally charged powder coating particles while resulting in a maximum potential gradient that is insufficient to produce either ionisation or corona effects in the fluidised bed.” Specification, page 5, lines 5-10. See *also* specification page 6, lines 6-11; and page 6, line 24 through page 7, line 29 (with reference to PCT/EP03/14167). Thus, claim 49 is both internally consistent, and particularly points out and distinctly claims the subject matter which Applicants regard as the invention.

The Office Action asserts that claim 54 is vague and indefinite because the plastic comprising a conductive additive allegedly appears to contradict the limitation of a non-conductive or poorly conductive substrate of claim 49, on which claim 54 depends. Applicants respectfully disagree with this assertion, because this reasoning is not correct. As described in the specification, “[p]lastics materials including electrically conductive additives and various plastics materials without electrically conductive additives may have a surface resistance of the order of between 10^3 and 10^{11} ohms/square, that is to say, *within the poorly conductive range*, depending on the material and, where included, the additive or additives.” Specification, page 3, line 28 through page 4, line 3 (emphasis added). Thus, the limitations of claim 54 do not contradict those of claim 49, and claim 54 is definite.

The Office Action asserts that claim 56 is vague and indefinite because the relative term “highly” allegedly does not convey the intended degree of insulating behavior of the plastic material. In order to expedite the current prosecution, Applicants have herein amended claim 56 to remove the term “highly” therefrom.

The Office Action asserts that claim 63 is vague and indefinite because the phrase “plastics material” allegedly lacks antecedent basis. Applicants have herein amended claim 63 to depend from claim 53, and added new claim 97 which depends from claim 54, such that “plastics material” has proper antecedent basis.

The Office Action asserts that claims 73-74 and 80-84 are vague and indefinite because the recited ranges are allegedly unclear and confusing. Applicants have herein amended claims 73-74 and 80-84 in regard to the recited ranges.

The Office Action asserts that claim 94 is vague and indefinite. In order to expedite the current prosecution, Applicants have herein canceled claim 94.

Accordingly, it is respectfully submitted that the rejections of the claims under 35 U.S.C. § 112, second paragraph, have been overcome and should therefore be withdrawn.

V. Rejection of Claim 96 Under 35 U.S.C. §§ 102 and 103

Claim 96 stands rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over: (1) U.S. Patent No. 5,714,007 ("Pletcher"); and (2) U.S. Patent No. 5,877,231 ("Biller et al."). In order to expedite the current prosecution, Applicants have herein canceled claim 96, thereby rendering these rejections moot. Accordingly, Applicants respectfully submit that the claim rejection under 35 U.S.C. §§ 102 and 103 should therefore be withdrawn.

VI. Conclusion

It is respectfully submitted that the pending claims are now allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited. The Commissioner is hereby authorized to charge any fees which may be necessary for consideration of this paper to Kenyon & Kenyon LLP Deposit Account No. 11-0600.

Respectfully submitted,

Dated: January 16, 2007

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